

STANDARD APPLICATION
Harford County
Board of Appeals

Bel Air, Maryland 21034

OCT 21 2005

HARFORD COUNTY COUNCIL

Case No. 5518

Date Filed 10/18/05

Hearing Date _____

Receipt _____

Fees 450.00

Shaded Areas for Office Use Only

Type of Application

- _____ Administrative Decision/Interpretation
- _____ Special Exception
- _____ Use Variance
- _____ Change/Extension of Non-Conforming Use
- _____ Minor Area Variance
- _____ Area Variance
- _____ Variance from Requirements of the Code
- _____ Zoning Map/Drafting Correction
- _____ _____

Nature of Request and Section(s) of Code _____

CASE 5518 MAP 69 TYPE Variance

ELECTION DISTRICT 01 LOCATION 200 Bridge Drive, Joppa 21085

BY Dennis and Patricia Mezzanotte

Appealed because a variance pursuant to Harford County Ordinance 6, Sec. 10.05 of the Harford County Code to allow an addition to maintain a 15' rear yard setback (35' required) in the R3/CDP district requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name DENNIS A. MEZZANOTTE

Phone Number 410-679-1459

Address 200 BRIDGE DRIVE
Street Number Street

JOPPA MD 21085
City State Zip Code

Co-Applicant PATRICIA M. MEZZANOTTE

Phone Number 410-679-1459

Address 200 BRIDGE DRIVE
Street Number Street

JOPPA MD 21085
City State Zip Code

Contract Purchaser _____

Phone Number _____

Address _____
Street Number Street

City State Zip Code

Attorney/Representative _____

Phone Number _____

Address _____
Street Number Street

City State Zip Code

Land Description

Address and Location of Property 200 BRIDGE DRIVE
ROMSEY ISLAND PART THIRTY TRAC PLAT BOOK H.D.C. 32 PAGE 49
HARFORD COUNTY
Subdivision ROMSEY ISLAND 102 Lot Number 31
Acreage/Lot Size 13,724 SF Election District 01 Zoning 139452 R3
Tax Map No. 69 Grid No. 1A Parcel 238 Water/Sewer: Private _____ Public X
List ALL structures on property and current use: EXISTING HOME + STORAGE SHED 10x10 - SF

Estimated time required to present case: 30 MINUTES
If this Appeal is in reference to a Building Permit, state number NO
Would approval of this petition violate the covenants and restrictions for your property? _____
Is this property located within the County's Chesapeake Bay Critical Area? Yes X No _____
If so, what is the Critical Area Land Use designations: _____
Is this request the result of a zoning enforcement investigation? Yes _____ No X
Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

BUILDING ADDITION 25X25 STRUCTURE ON BACK OF EXISTING HOME,
INCORPORATE ADDITIONAL BATHROOM + LAUNDRY ROOM INSIDE THIS
STRUCTURE

Justification

- 1) EXISTING HOME VERY SMALL - NEED ADDITIONAL SPACE
- 2) FRONT SETBACK - 7' MORE THAN IT SHOULD BE - WOULD GIVE MORE ROOM IN BACK
- 3) RIGHT SETBACK AS FACING FROM FRONT OF HOUSE IS OF NO USE
- 4) LEFT SETBACK AS FACING FROM FRONT OF HOME VERY LARGE BUT
OBSTRUCTED BECAUSE OF GARAGE. GARAGE CANNOT BE FINISHED WOULD
HAVE TEAR DOWN + REBUILD

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

SEE ATTACHED SHEET

ATTACHED SHEET

5)Building of rear addition would be asset to home and convenient for operation as addition would be level with existing dwelling. Could not go to left toward garage because garage level is lower, at least a foot lower.

6)Pluming & heating of rear addition are also convenient to existing dwelling as there is crawl space under that part of home. Garage floor is on slab. Also no room to add bath & laundry room there.

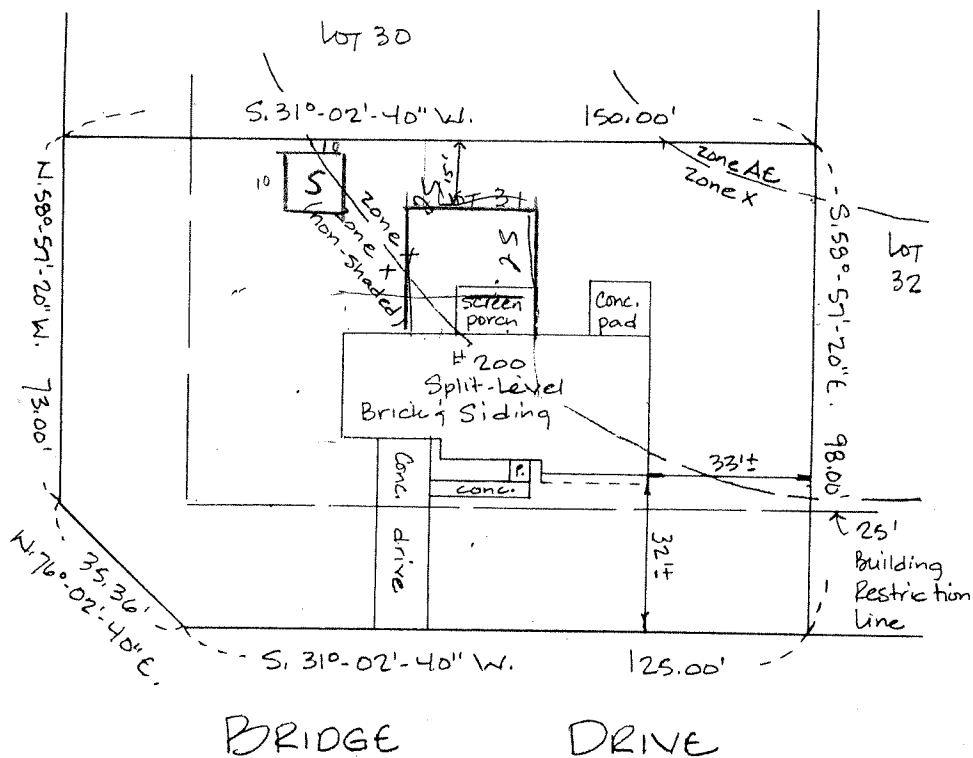
7)Functional flow of existing home would be greatly increased with addition as it would provide a recreational/family room for our growing family to enjoy.

8)Trying to put this room anywhere but at rear of home would not compliment the home and would be extremely expensive.

Thank You
Dennis Mezzanotte
200 Bridge Drive
Joppa Md. 21085

1381

SHORE DRIVE



BRIDGE

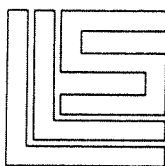
DRIVE



This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing; This plat is not to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements; and
 This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing. The accuracy of the apparent setback dimensions from the property lines to the improvements is within 3 feet of being greater than or less than the dimension shown.

THE LOT SHOWN HEREON IS IN FLOOD ZONE X; X (non-shaded); AE
 PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL # 24025C 0261 D

MD. REG. NO. 484



L.L.S. LAND
 SERVICES, INC.
 P.O. BOX 5410
 TOWSON, MARYLAND 21285
 (410) 879-4735
 FAX (410) 879-4736

LOCATION DRAWING
 #200 BRIDGE DRIVE - LOT 31
 "RUMSEY ISLAND Part Thirty Three"
 Plat Book H.O.C. 32, Folio 49
 HARFORD COUNTY, MARYLAND

DATE: 6-5-05

SCALE: 1" = 30'

FILE: 05-444

14173LFWM

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



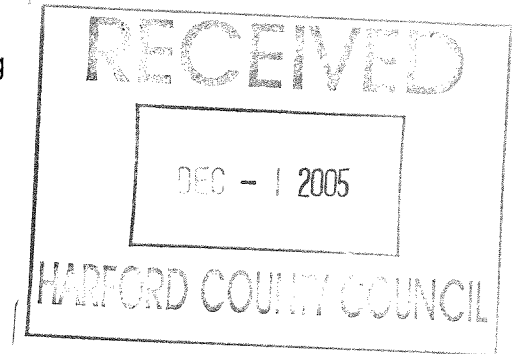
Anthony S. McClune
Acting Director of Planning & Zoning

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

November 3, 2005

STAFF REPORT



BOARD OF APPEALS CASE NO. 5518

APPLICANT/OWNER: Dennis A Mezzanotte
200 Bridge Drive, Joppa, Maryland 21085

Co-APPLICANT: Patricia M. Mezzanotte
200 Bridge Drive, Joppa, Maryland 21085

REPRESENTATIVE: Applicants

LOCATION: 200 Bridge Drive/Rumsey Island
Tax Map: 69 / Grid: 1A / Parcel: 238 / Lot: 31
Election District: First (1)

ACREAGE: 13,724 square feet

ZONING: R3/Urban Residential District

DATE FILED: October 18, 2005

HEARING DATE: December 14, 2005

APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"Building addition 25' x 25' structure on back of existing home. Incorporate additional bathroom and laundry room inside this structure."

Justification:

Preserving Harford's past: promoting Harford's future

STAFF REPORT

Board of Appeals Case Number 5518

Dennis and Patricia Mezzanotte

Page 2 of 5

- “1. Existing home very small – need additional space
2. Front setback – 7’ more than it should be – would have more room in back.
3. Right setback as facing from front of house is of no use.
4. Left setback as facing from front of home very large but obstructed because of garage. Garage cannot be finished would have to tear it down and rebuild.
5. Building of rear addition would be asset to home and convenient for operation as addition would be level with existing dwelling. Could not go to left toward garage because garage level is lower, at least a foot lower.
6. Plumbing and heating of rear addition are also convenient to existing dwelling as there is a crawl space under that part of home. Garage floor is on slab. Also no room to add bath and laundry room there.
7. Functional flow of existing home would be greatly increased with addition as it would provide a recreational /family room for our growing family to enjoy.
8. Trying to put this room anywhere but at rear of home would not compliment the home and would be extremely expensive.”

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Ordinance 6 (1957 Zoning Ordinance) Section 10.05 of said Code to allow an addition to maintain a 15-foot rear yard setback (35-feet required) in the R3 District/Community Development Project (R3/CDP).

Enclosed with the report is a copy of Ordinance 6, Section 10.05 of the 1957 Zoning Ordinance (Attachment 1).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicant’s property is located in the community of Joppatowne. The property is located at the northwest corner of Bridge Drive and Shore Drive. A location map and a copy of the Applicant’s site plan are enclosed with the report (Attachments 2 and 3).

The subject property is located within the Development Envelope. The predominant land use designations in the area are Low, Medium and High Intensities along with Industrial/Employment. The Natural Features Map shows areas of Chesapeake Bay Critical area, Sensitive Species Project Review Areas, Habitats of Local Significance and Stream Systems. The subject property is designated as Medium Intensity and is within the Chesapeake Bay Critical Area (Intensely Developed Area). These designations are defined by the 2004 Master Plan as:

Medium Intensity - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per

STAFF REPORT

Board of Appeals Case Number 5518

Dennis and Patricia Mezzanotte

Page 3 of 5

acre. Grocery stores, variety stores and other commercial uses are examples of some of the more intensive uses associated with this designation.

Intensely Developed Areas – Areas where residential, commercial, institutional, and/or industrial land uses predominate and where relatively little natural habitat occurs. This is where development will continue to be concentrated.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

Land Use – Existing:

The existing land uses in the area generally conform to the overall intent of the 2004 Master Plan. The area contains a mix of uses including residential, commercial, industrial, and institutional uses. Residential uses include conventional single family dwellings, townhouses, garden apartments, and condominiums. Commercial uses include shopping centers, individual retail, professional and personal service uses. There are also parks and institutional uses. The topography of the area ranges from level to rolling with some steep areas near the stream valleys. A topography map and a copy of the aerial photograph are enclosed with the report (Attachments 6 and 7).

The Applicant's property is a corner lot with frontages on Shore and Bridge Drives. The lot is rectangular in shape and approximately 13,724 square feet in size. The lot is basically level. Improvements consist of a brick and frame split level dwelling with a one car garage, and a small sunroom off the rear. Other improvements include a frame utility building to the rear of the dwelling, a concrete driveway and a concrete patio to the right rear of the dwelling. The property is nicely landscaped with mature trees and shrubbery. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 8 A-G and 9).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The area contains a mix of zoning including residential, commercial and industrial. Residential zoning includes R1 through R4/Urban Residential Districts. Commercial zoning includes B2/Community Business Districts, B3/General Business Districts and CI/Commercial Industrial District. The subject property is zoned R3/Urban Residential District as shown on the enclosed copy of the zoning map (Attachment 10).

SUMMARY:

The Applicants are requesting a variance pursuant to Ordinance 6 (1957 Zoning Ordinance) Section 10.05 of said Code to allow an addition to maintain a 15-foot rear yard setback (35-feet required) in the R3 District/Community Development Project (R3/CDP).

STAFF REPORT

Board of Appeals Case Number 5518

Dennis and Patricia Mezzanotte

Page 4 of 5

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Applicants are requesting a variance from the required rear yard setback to construct an addition to the rear of their dwelling. The code requires a minimum 35 foot rear yard setback. The Applicants are proposing 15 feet. Due to the layout and construction of the dwelling the proposed area to the rear of the house is the only practical area to construct the addition. This location will allow the applicants to tie into the existing plumbing and heating/air conditioning system. The Applicants have provided a drawing of the proposed room layout (Attachment 11 A & B).

The Department finds that the subject property is unique. The subject lot is a corner lot and is subject to front yard setbacks from both Shore and Bridge Drives. The developer chose to center the dwelling on the lot facing Bridge Drive. The dwelling is located 32 feet back from Bridge Drive which is approximately 7± feet behind the required setback. Had the dwelling been located on the Shore Drive setback line or even 2-feet closer in that direction the rear yard could have been designated along the northern property line adjacent to lot 32. This would have allowed the room to be constructed without requiring Board of Appeals approval. There are existing trees planted along the property line and the Applicant proposes additional trees to buffer the room addition (Attachment 12 – Landscaping plan).

The proposed addition is compatible with other structures in the neighborhood. There are several lots in the immediate area which have had room additions built on to the rear of the dwellings. The requested variance should not have an adverse impact on the Neighborhood and/or the intent of the Code.

The Department requested comments from our Critical Area Commission. The Commission stated in a letter dated November 22, 2005 that they had no opposition to the requested variance (Attachment 13).

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the following conditions:

1. The Applicants obtain all necessary permits and inspections for the construction of the proposed addition.

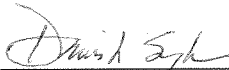
STAFF REPORT

Board of Appeals Case Number 5518

Dennis and Patricia Mezzanotte

Page 5 of 5

2. The Applicants shall submit a final landscaping plan to the Department of Planning and Zoning for review and approval. The applicants shall provide plantings between the proposed addition and the adjacent lot (lot 30).



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review



Anthony S. McClune, Acting Director
Department of Planning and Zoning

DJS/ASM/jf